

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Amendment of	)	RM No. 10403
Part 90 Rules Governing	)	
Location and Monitoring Service	)	

To: Chief, Wireless Telecommunications Bureau

**Request to Accept Late-Filed Reply Comments**

I, Warren C. Havens, along with Telesaurus Holdings GB LLC in which I have controlling interest,<sup>1</sup> filed Reply Comments in the above-captioned rule making proceeding (the “Filing,” the “Proceeding”) via ECFS on June 4, 2002, one day late.

Given the complexities of the issues involved (the subject 902-928 MHz spectrum band is particularly complex, as reflected in this Proceeding, and as is well known to the Wireless Bureau and the OET) and the research, outside counsel, and other due diligence needed for full and responsive Reply Comments,<sup>2</sup> as reflected in the Filing, we could not complete and submit the Filing by the June 3, 2002 deadline despite best efforts, but did so as soon as possible, the following day.

We request that the Commission accept this Filing for a more full and complete record in this Proceeding, which is in the public interest. We are the only party filing Comments and

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<sup>1</sup> Together, we hold the majority of the A-block LMS licenses in the nation. Thus, we have a critical interest in the matters raised in this Proceeding.

<sup>2</sup> My due diligence on these issues, contributing to the Filing, included meetings with Wireless Bureau staff, and OET staff, on Thursday and Friday of last week, May 30 and 31, 2002. (See my Ex Parte meeting report in this Proceeding filed on June 4, 2002.)

Reply Comments in this Proceeding, other than Progeny LMS LLC, who hold the LMS licenses subject of this Proceeding. Our comments in our Comments and Reply Comments differ very substantially from those of Progeny and all other parties filing in this Proceeding. Indeed, unique among parties commenting, our Comments and Reply Comments (i) reflect a new scheme for the subject 902-928 MHz band, and (ii) propose good-faith communications and direct meetings among all of the parties with current usage rights or access to this spectrum in order to minimize disputes (internally, and before the Commission) and also to explore cooperative synergistic means to maximize use of this spectrum to serve critical US industries and applications. Thus, our Comments and Reply Comments are essential for a full and complete record in this Proceeding.

We note that, in addition to serving a copy of the Filing (along with a copy of this Request) by mail to all other parties who filed either Comments or Reply Comments in the Proceeding, we also, in order to assure that such parties expeditiously received a copy of the Filing, delivered to them a copy by fax or email today, June 5, 2002. (See our Certificate of Service filed today via ECFS in this Proceeding.)

Respectfully submitted, June 5, 2002,

*Warren Havens*

Warren C. Havens,  
for himself and as President of  
Telesaurus Holdings GB, LLC

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